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Bureau of Environmental Health Assessment

Childhood Lead Poisoning Prevention Program

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## NOTICE OF REGULATORY CHANGES

8/30/02

The Massachusetts Department of Public Health, Bureau of Environmental Health Assessment, Childhood Lead Poisoning Prevention Program (CLPPP) is implementing changes to its regulations effective September 1, 2002. These changes include changes affecting inspection and deleading standards and the inspection and deleading compliance process as follows:

1. Surfaces with X-ray fluorescence analyzer readings of  $1.0 \text{ mg/cm}^2$  or greater are considered to contain a dangerous level of lead.

Properties **inspected** and **in the process of being deleading** prior to 9/01/02 or for which a deleading notification is on record with CLPPP prior to 9/01/02 for deleading to commence by 9/30/02 are not required to use the new XRF standard for deleading. However, all surfaces with lead content between  $1.0$  and  $1.2 \text{ mg/cm}^2$ , inclusive, must at minimum be made intact by properly authorized people.

2. Acceptable levels for post-deleading lead in dust are:
  - a. Floor less than  $40 \text{ ug/ft}^2$
  - b. Window sill less than  $250 \text{ ug/ft}^2$
  - c. Window well less than  $400 \text{ ug/ft}^2$

Inspectors, property owners, and those performing deleading work should be aware that these dust standards are in effect for any properties **reinspected on or after** 9/01/02. This means that even properties for which deleading has been completed prior to 9/01/02 must meet the new dust standards if any reinspections requiring dust sampling occur on or after 9/01/02. However, units that passed a reoccupancy reinspection, including dust samples, prior to 9/01/02 are not required to obtain another set of samples (unless a final reinspection for interim control occurs after 9/01/02). Inspectors should ensure that any laboratories they use to process dust samples are aware of the change in standards.

3. Properties **complied** prior to 9/01/02 are considered grandfathered. Surfaces with XRF readings between  $1.0$  and  $1.2 \text{ mg/cm}^2$ , inclusive, do not need to be deleading; however, these surfaces must at minimum be in an intact condition.
4. The process for inspectors to become risk assessors has been facilitated. The requirement that a lead inspector perform a total of 75 inspections and reinspections will continue, but will no longer be a prerequisite for receiving risk assessor training.
5. A risk assessment reinspection is now required any time structural repairs are performed after residents reoccupy a home before the final compliance inspection is conducted.
6. Subcontracted deleading work is now included in the prohibition against inspection/deleading conflicts of interest for inspectors.
7. The legal status of a lead inspection and risk assessment is explained and clarified.

Should you have any questions about these or other changes to the Regulations for Lead Poisoning Prevention and Control, please call CLPPP's Public Information Line at 1-800-532-9571 or 617-284-8400.